

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**UNITED STATES OF AMERICA** : **Criminal No. 04-\_\_\_\_\_**  
**v.** : **Date Filed: \_\_\_\_\_**  
**GALEN FRITZ** : **Violation:**  
: **18 U.S.C. § 922(g)(1)**  
: **(felon in possession of firearm - 1 count)**  
: **18 U.S.C. § 922(k)**  
: **(possession of a firearm with an**  
: **obliterated serial number - 1 count)**  
  
**Notice of forfeiture**  
**Notice of additional factors**

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

On or about October 12, 2004, at Downingtown, in the Eastern District of Pennsylvania,  
defendant

**GALEN FRITZ,**

having been convicted in a court in the Commonwealth of Pennsylvania of a crime punishable  
by imprisonment for a term exceeding one year, knowingly possessed in and affecting interstate  
and foreign commerce a firearm, that is, a Smith and Wesson, 10MM semi-automatic pistol with  
obliterated serial numbers.

In violation of Title 18, United States Code, Section 922(g)(1).

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about October 12, 2004, at Downingtown, in the Eastern District of Pennsylvania,  
defendant

**GALEN FRITZ**

knowingly possessed a firearm, that is, a Smith and Wesson, 10MM semi-automatic pistol which  
had the serial number removed, obliterated and altered, and had been shipped and transported in  
interstate and foreign commerce.

In violation of Title 18, United States Code, Sections 922(k) and 924(a)(1)(B).

### **NOTICE OF ADDITIONAL FACTORS**

#### **THE GRAND JURY FURTHER CHARGES THAT:**

1. In committing the offense charged in Count One of this indictment, defendant **GALEN FRITZ** committed the instant offense while under a criminal justice sentence, that is, supervised release, as defined by U.S.S.G. § 4A1.1(d) and Application Note 4.

2. In committing the offense charged in Count One of this indictment, defendant **GALEN FRITZ** committed the instant offense less than two years after release from imprisonment on a sentence of imprisonment exceeding one year and one month, as defined by U.S.S.G. § 4A1.1(a) and (e).

3. In committing the offense charged in Count One of the indictment, defendant **GALEN FRITZ** committed the instant offense subsequent to sustaining at least two felony convictions for crimes of violence, as described in U.S.S.G. § 2K2.1(a)(2), Application Note 5 and U.S.S.G. §4B1.2(a).

4. In committing the offense charged in Count One of the indictment, defendant **GALEN FRITZ** committed the instant offense after having been convicted of a crime as an adult over the age of 18 years, in a court of the Commonwealth of Pennsylvania, which crime was punishable by a term of imprisonment exceeding one year, as defined in U.S.S.G. § 2K2.1(a)(2) and Application Note 5.

**NOTICE OF FORFEITURE**

**THE GRAND JURY FURTHER CHARGES THAT:**

As a result of the violation of Title 18, United States Code, Section 922(g)(1) set forth in Count One of this Indictment, the defendant

**GALEN FRITZ,**

shall forfeit to the United States of America, pursuant to 18 U.S.C. § 924(d) and 28 U.S.C. § 2461(c), all firearms and ammunition involved in the commission of this offense, including, but not limited to:

- a Smith and Wesson 10MM semi-automatic pistol with obliterated serial numbers.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 924(d).

**A TRUE BILL:**

\_\_\_\_\_  
**FOREPERSON**

\_\_\_\_\_  
**PATRICK L. MEEHAN**  
**United States Attorney**